



JACQUES, BIRMINGHAM ANNOUNCE FINAL ENACTMENT OF ASSAULT WEAPONS BILL

Legislation will give Massachusetts the toughest gun laws in the country

For Immediate Release

Date 7/20/98

Contact Angus G. McQuilken (617) 722-1555 x1553 (Jacques)
Alison Franklin (617) 722-1500 (Birmingham)

BOSTON, MA - State Senator Cheryl Jacques and Senate President Thomas Birmingham announced today that the Senate has enacted comprehensive legislation to reduce gun violence in Massachusetts. The enacted bill includes the following provisions:

- * Codifies the federal assault weapons ban, prohibiting possession or sale of assault weapons or high capacity ammunition magazines manufactured after September 13, 1994.
- * Makes gun owners responsible for safe storage of guns, and provides for criminal penalties for negligent storage, and negligent storage where a minor has access.
- * Increases penalties for a variety of gun related crimes, including use of a gun in the commission of a felony, illegal gun trafficking, illegal sale to a minor, and felon in possession.
- * Creates a new category of high capacity weapons, defined as semi-automatic weapons which can hold more than ten rounds, or which can accept a detachable magazine which holds more than ten rounds.
- * Creates a new licensing structure for all guns as follows
 - FID Card: for all non-large capacity rifles and shotguns.
 - Class B License to Carry for all non-large capacity handguns, and all large capacity rifles and shotguns.
 - Class A License to Carry for all handguns, rifles, and shotguns.
- The FID card would continue to be issued on a non-discretionary basis to any eligible individual, while both the Class A and Class B License to Carry would be issued by local police chiefs based on suitability.
- FID Cards and Licenses to Carry would both be renewable every four years. Fees for licensing or renewal would be \$25. Under current law the FID lasts for life, and the License to Carry is renewable every five years. FID Cards would require a photo and a fingerprint.
- New factors that would disqualify an applicant for an FID or LTC include a conviction for a violent misdemeanor or the existence of an outstanding warrant. Violent criminals and those convicted of drug or gun trafficking would be prohibited from obtaining an FID for life.
- The bill also establishes a club license to possess large capacity weapons so that shooting ranges can make them available on premises for use by their members or visitors.
- * Establishes a Firearms Recordkeeping Trust Fund that would receive one half of all licensing fees for use in conducting background checks and improving the state's firearms recordkeeping system. Cities and towns would retain the other 50% of all fee revenue.
- * Prohibits the possession or sale of sawed-off shotguns, and of so-called "gadget" guns that are undetectable by metal detectors and x-ray machines, or are otherwise disguised as innocuous items such as key-chains, cigarette lighters and pens.
- * Prohibits the future sale of "junk" guns, otherwise known as "Saturday Night Specials" by codifying the Attorney General's consumer protection regulations. This prohibition would exempt guns that are currently legally owned.

- * Requires that gun dealers operate out of a location separate and distinct from their residential address as of September 1, 1999, and requires all licensed dealers to verify the authenticity and validity of FID cards, Licenses to Carry and Permits to Purchase before they can sell a gun.
- * Prohibits mail order gun sales within the state. Guns could only be sold upon the in-person presentment of a valid license or permit to purchase.
- * Establishes penalties for possession of a weapon while intoxicated.
- * Requires all new gun license applicants to pass a gun safety course.

"This legislation will give Massachusetts the toughest gun control law in the country," said Jacques, the Chief Senate Sponsor of the legislation. "In addition to codifying the federal ban on assault weapons, this legislation will prevent future tragedies involving kids and guns by requiring all gun owners to safely store their weapons, either with a trigger lock or in a gun safe. It will crack down on gun related crimes by significantly increasing penalties for the use of a gun in the commission of a felony and for illegal gun trafficking. And it gives our local police chiefs broader discretion in deciding who is suitable to obtain a gun license, without being second guessed by a board of political appointees. Passage of this legislation proves that the public interest can win out over a powerful special interest group like the National Rifle Association, and I congratulate all of the many people who have been involved in the effort to pass this legislation."

"Passage of this legislation will make the Commonwealth's public safety policy safer and saner," said Senate President Birmingham. "In most developed societies, health care is a right and gun ownership is a privilege. Somehow in the United States, we have gotten those priorities reversed but with this legislation we are surely turning Massachusetts in the right direction."

"Passage of this bill is a victory for common sense and for the protection of our children and our neighborhoods," said Attorney General Scott Harshbarger. "It sends a clear message to the gun lobby that the public interest takes precedence over special interests in Massachusetts."

"This is groundbreaking legislation that shows yet again that Massachusetts is a leader in gun violence reduction," said John Rosenthal, Co-founder of Stop Handgun Violence. "Senator Jacques, Representative Slattery and our other fine legislators should be proud of their hard work and know that we are saving lives."

The legislation now goes to the Governor's desk to be signed into law.

-30-

[News Service Home Page](#)